

REMARKS

In an Office Action dated December 2, 2002, the Examiner indicated on page 2, in paragraph 1 that Applicant's arguments in the previous amendment were not persuasive because of the Examiner's understanding of the claim term "duration". In a telephone conference between Examiner Vanderpuye, the undersigned and the inventor on February 13, 2003, it was agreed that Claim 1 is to be amended to explicitly state that the claimed "duration is the length of time needed to collect the information in real time." Claim 17 also been similarly amended. For this reason, Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1 and 17.

Note that the above-described limitation on the word "duration" is not to be applied to Claims 6, 14, 16 and 20-22 because these claims were previously allowed, as indicated in the Office Action dated December 2, 2002, on page 6, in paragraph 7.

Claim 15 which was objected to for "illegal dependency" is canceled in view of the Examiner's statement during the telephone conference that his objection was to the order in which this claim occurs, relative to Claim 20 from which it depends. In its place is submitted a new Claim 30, which depends from earlier located Claim 20.

Claims 7-9 are canceled and now re-submitted as new Claims 31-33 with only the following change. Specifically, Claim 31 now recites a specific order for the last two acts: that the second packet is received prior to formation of the third packet. As Claims 7-9 were not rejected over any prior art, Applicant submits that the corresponding Claims 31-33 are now in form for allowance.

New Claims 23-73 are believed to be patentable over the prior art of record.

In view of the above remarks, Applicant submits that all currently pending Claims 1-6, 8-14, and 16-73 are in form for allowance and allowance thereof is respectfully requested. If there are any questions, please call the undersigned at (408) 982-8200, extension 3.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 703-872-9314 on March 3, 2003.

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March 3, 2003
Date of Signature

Respectfully submitted,

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ATTACHMENT A

(Version with markings to show changes made)

Note: Claims 7-9 and 15 are canceled and new Claims 23-73 are added as shown above.
Only Claims 1 and 17 are being re-written in the current amendment, as follows:

1. (Amended) A method for transmitting streaming information in a packetized format, the method comprising:

forming a first packet containing information generated over a first duration; and
in response to a predetermined event, forming a second packet containing
information generated over a second duration, the second duration being longer than the
first duration;

wherein duration is the length of time needed to collect the information in real
time.

17. (Amended) A device including:

a memory;

an information controller coupled to the memory for storing information in the
memory;

a packet controller coupled to the memory for transmitting a plurality of packets
stored in the memory; and

a processor that uses information of a first duration as payload in each of said
packets prior to occurrence of a predetermined event, and uses information of a second
duration as payload after occurrence of the predetermined event;

wherein duration is the length of time needed to collect the information in real
time.